FRANKLIN COUNTY BOARD OF HEALTH REGULATION 712 Rat Control

Authority Section 3709.21 ORC

Every premises, building or structure within the jurisdiction of the Franklin County District Board of Health shall be rat-proofed, freed of rats and maintained in a rat proofed and rat free condition to the satisfaction of the Health Commissioner.

712.01 DEFINITIONS

- A. "Building" means any publicly or privately owned business, building or structure and non-business building or structure.
- B. "Business Building" means any structure, whether public or private that is adapted for occupancy for transaction of business, for rendering of professional service, for amusement, for the display, sale or storage of goods, wares, or merchandise, or for the performance of work or labor, including hotels, apartment buildings, tenement houses, rooming houses, office buildings, public buildings, stores, theaters, markets, restaurants, grain elevators, abattoirs, warehouses, workshops, factories, and all outbuildings, sheds, barns, and other structures on premises used for business purposes.
- C. "Firewood" means and includes any deciduous and/or conifer woody plant materials cut, split, or chopped, including but not limited to building materials and kindling that can be used for fuel and/or landscaping purposes.
- D. "Garbage" means the putrescible animal and vegetable wastes resulting from the handling, processing, preparing, cooking or serving of food.
- E. "Health Commissioner" means the person occupying the office in the Franklin County District Board of Health which is created by Section 3709.11 of the Ohio Revised Code or his authorized representative.
- F. "Non-Business Building" means any structure, whether public or private that is used as a residence or for any other purpose other than for business.
- G. "Occupant" means the individual, partnership or corporation that has the use of or occupies any building or a part or fraction thereof, whether the actual owner or tenant. In the case of a vacant building or any vacant portion of a building, the owner, lessee, agent or custodian shall have the responsibilities of an occupant.
- H. "Owner" means the actual owner of the building, whether individual, partnership or corporation. In the case of a leased building, with a clause in the lease specifying that the lessee is responsible for maintenance and repair, the lessee will be considered in such cases as the owner for the purpose of this regulation.

712.01 DEFINITIONS (CONT):

- I. "Person" means an individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, department, bureau, agency, or any entity recognized by law.
- J. "Rat Eradication" means the elimination or extermination of rats within buildings by any or all of the accepted measures, such as: poisoning or trapping.
- K. "Rat Harborage" means any condition which provides shelter or protection for rats, thus favoring their multiplication and continued existence in, under, or outside a building or structure of any kind.
- 1. "Ratproofage" applies to a form of rat proofing to prevent the ingress of rats into or under buildings or other structures from the exterior or from one building or structure to another. It consists essentially of the closing of all openings in the exterior walls, ground or first floors, basements and foundations, that may be reached by rats from the ground by climbing or by burrowing, with concrete, sheet iron, hardware cloth or other types of rat-proofing material impervious to rat gnawing, approved by the Health Commissioner. Hardware cloth shall mean wire screen of such thickness and spacing as to afford reasonable protection against the entrance of rats.
- M. "Refuse" means combustible and non-combustible waste material except garbage, and the term shall include the residue from the burning of wood, coal, coke, and other combustible material, paper, rags, cartons, boxes, wood excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, plastics, glass and dust.

712.02 INSPECTION NOTICE

It shall be the duty of the Health Commissioner to cause inspection of the buildings or other structures to determine evidence of rat infestation and the existence of new breaks or leaks in the rat-proofing. When any evidence is found indicating the presence of rats or openings through which rats may enter such buildings or structures, he shall serve the owner, agent, or occupant of such building or structure with written notice to abate the conditions found. The owner, agent or occupant of every building or structure shall give the Health Commissioner free access to his building or structure for the purpose of such inspection.

712.03 BUSINESS BUILDING NOTIFICATION

- A. That upon receipt of written notice and/or order from the Health Commissioner, the owner of any business building specified therein shall take immediate measures for rat-proofing the building, and that unless said work and improvements have been completed by the owner in the time specified in the written notice, in no event to be less than fifteen (15) days, or within the time to which a written extension may have been granted by the Health Commissioner, the owner shall be deemed in violation of this regulation.
- B. That whenever the Health Commissioner notifies the occupant or occupants of a business building in writing that there is evidence of rat infestation of the building, said occupant or occupants shall immediately institute rateradication measures and shall continuously maintain such measures in a satisfactory manner until the premise is declared by the Health Commissioner to be free of rat infestation. Unless said measures are undertaken within five (5) days after receipt of notice, it shall be construed as a violation of this regulation and the occupant shall be held responsible therefor.

712.04 CLOSURE OF BUSINESS BUILDING

That whenever conditions inside or under occupied business buildings provide extensive harborage for rats (in the opinion of the Health Commissioner) said Health Commissioner is empowered, after due notification in accordance with Section 3, to close such business buildings until such time as the conditions are abated by ratproofing and harborage removal, including, if necessary, the installation of suitable concrete floors in basements or replacement of wooden first or ground floors with concrete, or other major repairs necessary to facilitate rat eradication.

712.05 MAINTENANCE

The owner, agent, or occupant in charge of all ratproofed buildings or structures shall maintain them in a ratproofed condition and repair all breaks or leaks that may occur in the ratproofage.

712.06 UNLAWFUL TO REMOVE RATPROOFAGE

It shall be unlawful for the owner, occupant, contractor, public utility company, plumber, or any other person, to remove ratproofage from any building or structure for any purpose and fail to restore the same in satisfactory condition, or to make any new openings that are not closed or sealed against the entrance of rats.

712.07 STRUCTURAL CHANGES

Whenever the conditions of the building or structure provide such extensive harborage for rats that the Health Commissioner deems it necessary to eliminate such harborage, he may require the owner in charge of any such building or structure to install suitable cement floors in basements, or to require such owner to correct such rat harborage as may be necessary in order to facilitate the eradication of rats.

712.08 DUMPING PROHIBITED

It shall be unlawful for any person to place, leave, dump, or permit to accumulate any garbage or refuse in or around any building, structure or premises so that the same shall afford food or harborage for rats, or to dump, or place on any premises, land or waterway any dead animals or waste vegetable or animal matter of any kind.

712.09 ACCUMULATION OF MATERIALS OR JUNK

It shall be unlawful for any person to accumulate or permit the accumulation on any open lot or other premises, any lumber, boxes, barrels, bricks, firewood, stones, scrap metal, motor vehicle bodies or parts, or similar materials, rubbish or any articles of junk, which provide rat-harborage, unless the same shall be placed on open racks that are elevated not less than twelve inches above the ground, neatly piled or stacked.

712.10 RECEPTACLES

It shall be the duty of every person occupying or having charge of or owning any building or structure to provide receptacles for the reception of garbage and refuse. The receptacles shall be provided with covers so that they are rat-proofed and it shall be the further duty of said persons to have the contents of the receptacle removed from the premises whenever such receptacles are full. (It shall be unlawful for any person occupying, owning or having charge of any premises in any place other than receptacles defined herein.)

712.11 <u>FEEDING OF BIRDS, FOWL, OR ANIMALS IN AN UNAPPROVED MANNER</u>

- A. No person, firm, corporation, or organization shall feed or permit to be fed any birds, fowl, dogs, cats, or any other animal in such a way to create a nuisance, food for rats, or cause rat infestation.
- B. Bird or fowl feeding shall be done in properly constructed feeders or in a manner which eliminates the possibility of feed or food spilling to the ground.
- C. Domestic animals shall be fed in such a way as to prevent rodent or vermin to feed on this food. All food not consumed by domestic animals shall be removed from outside at or before sunset daily.

712.11 <u>FEEDING OF BIRDS, FOWL, OR ANIMALS IN AN UNAPPROVED</u> <u>MANNER (CONT)</u>

- D. No food of any kind shall be placed directly unto the pavement or ground.
- E. Feeding of stray or injured animals of all species on a temporary basis by responsible individuals or organizations in order to capture such animals shall not be considered a violation of this regulation.

712.12 RODENT HARBORAGE - PLANTS

No owner or occupant shall permit conditions whereby grasses, weeds, or other vegetation may provide a rodent harborage on his/her property.

712.13 OPEN BURNING OF GARBAGE

It shall be unlawful for any person to burn garbage. Such putrescible wastes shall be placed in covered garbage receptacles and shall be hauled away and disposed of in a satisfactory manner.

712.14 PENALTY

Violation of any provision of this regulation is prohibited by Section 3707.48 and/or 3709.21 of the Ohio Revised Code and subject to the penalties provided by Section 3707.99 and/or 3709.99 of the Ohio Revised Code.

712.15 SAVING CLAUSE

If any section, subsection, sentence, clause or phrase of this regulation is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this regulation shall not be affected thereby.

712.16 <u>EFFECTIVE DATE</u>

This regulation shall be effective on and after the thirteenth day of March, 1990.